

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 6, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Vivian Rojas, and Anthony W. Cobos. Late Arrivals: Daniel S. Power arrived at 9:25 a.m. and Paul J. Escobar arrived at 9:50 a.m. Absent: None. Meeting was called to order at 9:08 a.m. and the invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. ***El Paso Society for Human Resource Management Month***
2. ***Child Abuse Prevention and Awareness Month***
3. ***Public Health Week***

*Motion made, seconded and unanimously carried to postpone two (2) weeks the presentation to City Council on the progress of the Animal Regulation Spay/Neuter Van and the Spay/Neuter Voucher program funded in the City/County Health District Budget for FY 2004.

[James Kluetz and Patricia Wickham, City-County Animal Shelter Advisory Committee]

Item: Claim for false arrest, etc. [Ramón Jesús Jeanmarie]

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to delete the item above. Representatives Power and Escobar were not present for the vote.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to reconsider the above item.

Mr. Ramón Jesús Jeanmarie, citizen, stated his case regarding his claim for false arrest.

Ms. Lisa A. Elizondo, City Attorney, provided legal advice and explained that, if necessary, further discussion on the matter could be taken in Executive Session.

No action was taken on the following item: Claim for false arrest, etc. [Ramón Jesús Jeanmarie]

Representative Rojas thanked the Taskforce for their diligence.

Ms. Nathalie Prise, Provisional Community and Human Development Director, explained that the Taskforce members had worked diligently on the project for three months and thanked those individuals. She noted that the Housing Authority of the City of El Paso (HACEP) Queen of Angels project was currently in the design phase of the project. She answered questions from and responded to comments made by the Council Members.

Ms. Melinda Reed, Grants Planner, explained that the Taskforce had compiled three goals in striving to end chronic homelessness in the community: 1. engaging the chronically homeless more effectively; 2. ensuring service components run effectively; and 3. finding permanent housing and employment. She answered questions from and responded to comments made by the Council Members.

Representative Power requested that the Council Members consider engaging the Housing Authority of the City of El Paso (HACEP), the YMCA and YWCA, in providing independent housing for the chronically homeless.

Representative Cook noted that the report contained three clearly defined strategies and 27 established goals and congratulated the Taskforce on the completion of their report in such a timely manner.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to accept the report entitled "Border Solutions: Ending Chronic Homelessness in El Paso". Representative Escobar was not present for the vote.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a letter of support for a grant application that the City of Socorro, Texas is submitting to the Texas Department of Housing and Community Affairs (TDHCA), for the Owner-Occupied Assistance Program.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following Housing Rehabilitation application and funding be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application:

Application No.: H01-10-CD/IO/MP-0313	HOME Loan: \$ 120,000.00
	HOME Grant \$ <u>348,515.00</u>
	Total: \$ 468,515.00

Address: 1318 Myrtle Avenue (79901)
Interest at zero percent (0%)

AND THAT the Mayor be authorized to sign a Home Financial Terms Contract between the City and the Opportunity Center for the Homeless, in the amount of \$468,515.00, and that the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, the Opportunity Center for the Homeless, and the selected Construction Contractor, upon approval by the Director of Community and Human Development and the City Attorney's Office.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **TERESA A. McGLONE**, to assist the Financial & Administrative Services as a Grants Administrator at a biweekly rate of \$1,923.08 for 40 hours per week. The term of the contract shall be for the period of April 16, 2004 through April 15, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City of El Paso approves the participation by the El Paso Fire Department in the Northeast Easter Parade to be held on April 10, 2004, by providing a Quint or Ladder truck, a Fire Pumper, the Fire Prevention Safety House, and the "Squirt" and "Sparky" mascots as entries in the parade.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a Grant Application to the Hervey Foundation on behalf of the City of El Paso in the amount of \$20,000.00 for the Mission Trail Harvest Market; and

That the Mayor's Office, be authorized to furnish such additional information as the Hervey Foundation may require in connection with the Grant Application for this Project; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreement and related documents, and any amendments to the initial Grant Agreement which increases or decreases funds, provided that no additional City funds are required, upon approval by the Hervey Foundation. No City matching funds required.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council.

SAN JUAN RECREATION CENTER

DEPARTMENT ID: 51510123, ACCOUNT 502214

1. **CONTRACTOR:** Vanessa Amos, Ballet Folklorico Instructor
DATES: April 7, 2004 through August 31, 2004
RATE PER CL: \$15.00
MAXIMUM AMT: \$1185.00
CONTRACT: **2003/2004-117**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. **CONTRACTOR:** Adrienne E. Acosta, Swim Instructor, Step 1
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$5.35
 CONTRACT NO: **2003/2004-203**

2. **CONTRACTOR:** Claudia L. Acuna, Swim Instructor, Step 1
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$5.35
 CONTRACT NO: **2003/2004-204**

3. **CONTRACTOR:** Mariam S. Assadian, Lifeguard, Step 2
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$6.00
 CONTRACT NO: **2003/2004-205**

4. **CONTRACTOR:** Jacqueline R. Botello, Swim Instructor, Step 1
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$5.35
 CONTRACT NO: **2003/2004-206**

5. **CONTRACTOR:** Jose A. Bryan, Senior Lifeguard, Step 2
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$6.80
 CONTRACT NO: **2003/2004-207**

6. **CONTRACTOR:** Jorge D. Cabildo, Senior Lifeguard, Step 1
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$6.60
 CONTRACT NO: **2003/2004-208**

7. **CONTRACTOR:** Ralph Cedillo, Lifeguard, Step 2
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$6.00
 CONTRACT NO: **2003/2004-209**

8. **CONTRACTOR:** James E. Cooper III, Swim Instructor, Step 1
 DATES: April 14, 2004 through September 30, 2004
 RATE PER HR: \$5.35
 CONTRACT NO: **2003/2004-210**

9. CONTRACTOR: Cynthia J. Diego, Swim Instructor, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-211**
10. CONTRACTOR: Tony Gonzalez, Swim Instructor, Step 1
DATES: April 14 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-212**
11. CONTRACTOR: Mayra A. Hinojos, Swim Instructor, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-213**
12. CONTRACTOR: Genie M. Karam, Senior Lifeguard, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$6.60
CONTRACT NO: **2003/2004-214**
13. CONTRACTOR: Jenny L. Logan, Lifeguard, Step 2
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-215**
14. CONTRACTOR: Louise B. Lopez, Swim Instructor, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-216**
15. CONTRACTOR: Kristopher L. Martinez, Swim Instructor, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-217**
16. CONTRACTOR: Mara Y. Meza, Lifeguard, Step 2
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-218**
17. CONTRACTOR: Amanda Posadas, Swim Instructor, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-219**
18. CONTRACTOR: Perla A. Retana, Swim Instructor Coordinator, Step 1
DATES: April 14, 2004 through September 30, 2004
RATE PER HR: \$6.50
CONTRACT NO: **2003/2004-220**

- NOTE: Items 3 and 15 of this Resolution were revised from "Miriam" and "Krisopher" to "Mariam" and "Kristopher".

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Motion made, seconded and unanimously carried to move to the regular agenda the following:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

NOTE: This item was approved with the next resolution.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council of the City of El Paso approves the participation of the City of El Paso Solid Waste Management Department in the Paseo de los Colores – El Paso Heritage Lighting Parade to be held Saturday, May 1, 2004, by providing a replica of the Cordova (Free) Bridge constructed with reusable work, recyclable toys and two large alligators made of used automobile tires on a bed of a Solid Waste Management vehicle.

Representative Cushing questioned the cost to the City.

Ms. Emma Acosta, Director of Solid Waste Management, provided explanation.

Motion made by Representative Cushing, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Austin was not present for the vote.

NOTE: This item was approved with the previous resolution.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, JUANA C. SAUCEDO (ESTATE), % JESUS & CECILIO SAUCEDO, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4001 Laredo Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 19 & 20 (7000 SQ FT), Block 44, Woodlawn Subdivision, Parcel W886-999-0440-9700,

to be TWO HUNDRED FIFTY FOUR AND 93/100 (\$254.93) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twentieth day of November, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTY FOUR AND 93/100 (\$254.93) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, BLACKMON & ASSOCIATES, INC., of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

10100, 10101, and 10105 Shenandoah Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 1, Block 28; Lot 1 & 2, Block 29, Terrace Hills #4 Subdivision, Parcel T172-999-0280-0100; T172-999-0290-0100; and T172-999-0290-1400,

to be THREE HUNDRED SIX AND 89/100 DOLLARS (\$306.89) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty-ninth day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED SIX AND 89/100 DOLLARS (\$306.89) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, MARIA L. DOMINGUEZ, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

2109 E. Glen Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 3 (6300.00 SQ FT), Block 14, Newport Estates #3 Subdivision, Parcel N241-999-0140-0300,

to be TWO HUNDRED FOURTEEN AND 88/100 (\$214.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty-fourth day of November, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FOURTEEN AND 88/100 (\$214.88) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, JAVIER OROZCO, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9749 GAZA DRIVE, City of El Paso, El Paso County, Texas, being more particularly described as Lot 8, BLOCK 13, Vista del Prado #3 Subdivision, Parcel V887-999-0130-1500,

to be THREE HUNDRED TEN AND 68/100 (\$ 310.68) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eleventh day of November, 2002, and Sixteenth day of September 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED TEN AND 68/100 (\$310.68) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, ROSARIO E. CORTEZ, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1451 Rudy Montoya, City of El Paso, El Paso County, Texas, being more particularly described as Lot 1, Block 530, Vista del Sol #124 Subdivision, Parcel V893-999-5300-0100,

to be TWO HUNDRED FIFTY FIVE AND 47/100 DOLLARS (\$255.47) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Seventh day of October, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTY FIVE AND 47/100 DOLLARS (\$ 255.47) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, ALFONSO PATINO, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

536 Center Way, City of El Paso, El Paso County, Texas, being more particularly described as Lot 4 (0.482 ACRE), Block 6, North Loop Gardens #1 Subdivision, Parcel #N442-999-0060-1000,

to be THREE HUNDRED SEVENTY NINE AND 15/100 DOLLARS (\$379.15) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty-fourth day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED SEVENTY NINE AND 15/100 DOLLARS (\$ 379.15) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, FELICITAS & JOSEPH AGUIRRE, of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

7202 Cuba Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 18, Block 45, Ranchland Hills #5 Subdivision, Parcel R221-999-0450-5200,

to be TWO HUNDRED FOURTEEN AND 88/100 (\$214.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twelfth day of November, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FOURTEEN AND 88/100 (\$214.88) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property struck off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

NOW, THEREFORE, BE IT RESOLVED:

Lots 55 and 56, Block B, Bassett Addition, an Addition to the City of El Paso, being more particularly described in Volume 178, Page 416, Deed Records of El Paso County, Texas. (PID #B202-999-000B-7600)

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property struck off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

NOW, THEREFORE, BE IT RESOLVED:

Lots 30, 31 and 32, Block 86-B, Logan Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 353, Page 33, Deed Records of El Paso County, Texas. (PID #L447-999-086B-9200)

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property struck off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

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NOW, THEREFORE, BE IT RESOLVED:

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as:

The South 53 Feet of Lot 20, Block 12, Pasodale Addition, an Addition to the City of El Paso, El Paso County, Texas. (PID #P591-999-0120-9600)

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property struck off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED:

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as:

Tract 8-E, Block 22, Socorro, El Paso County, Texas (PID #S533-000-0220-08E0)

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 4th day of May, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3106 Rivera Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 28 and 29, Block C, Supplemental Map No. 1 of East El Paso, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 1, Page 51, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Jose Madriles, 3106 Rivera Avenue, El Paso, Texas 79905, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Oasis Ranch
Owner/Developer: Resortview Homes I, Ltd.
Consultant: CEA Engineering Group

Street Improvements:

Alba Lane - from the northeast subdivision boundary line to Station 9 + 93.65

Waterspring Lane - from Station 9 + 93.65 on Alba Lane to the west property line of Oasis Drive

Oasis Drive - from the northeast subdivision boundary line to the south property line of Alba Lane

Dandelion Way - from the east property line of Oasis Drive to the end of "T" hammer cul-de-sac

Dragonfly Way - from the west property line of Waterspring Lane to the end of cul-de-sac

Morning Dew Court - from the west property line of Oasis Drive to the end of "T" hammer cul-de-sac

Breeze Court - from the west property line of Oasis Drive to the end of "T" hammer cul-de-sac

Wind Court - from the east property line of Oasis Drive to the end of "T" hammer cul-de-sac

Marisma Court - from the west property line of Oasis Drive to the end of "T" hammer cul-de-sac

Sunshine Court - from the west property line of Oasis Drive to the east property line of Oasis Drive

Aqua Court - from the east property line of Oasis Drive to the end of "T" hammer cul-de-sac

Mirage Court - from the west property line of Oasis Drive to the end of "T" hammer cul-de-sac

Splendor Court - from the west property line of Oasis Drive to the east property line of Oasis Drive

Drainage Improvements:

Storm Drainage System:

Wind Court - 1-1 Grate Drop Inlet Type I; and 147 ft. of 36" R.C.P.

Sunshine Court - 2-2 Grate Drop Inlet Type I; and 182 ft. of 36" R.C.P.

Marisma Court - 1-1 Grate Drop Inlet Type I; and 23 ft. of 18" R.C.P.

Breeze Court - 1-2 Grate Drop Inlet Type I; 207 ft. of 30" R.C.P.; and 62 ft. of 36" R.C.P.

Aqua Court - 1-1 Grate Drop Inlet Type I; and 220 ft. of 36" R.C.P.

Mirage Court - 1-1 Grate Drop Inlet Type I; and 28 ft. of 18" R.C.P.

Splendor Court - 2-2 Grate Drop Inlet Type I; 190 ft. of 36" R.C.P.; and 177 of 42" R.C.P.

Waterspring Lane - 1-1 Grate Drop Inlet Type III; 1-2 Grate Drop Inlet Type I; and 170 ft. of 18" R.C.P.

Oasis Drive - 1-3 Grate Drop Inlet Type I; 2-2 Grate Drop Inlet Type I; 88 ft. of 18" R.C.P.; 405 ft. of 24" R.C.P.; 1-Junction Box/48" Manhole; and 1-Junction Box/72" Manhole

Dandelion Way - 2-1 Grate Drop Inlet Type II; 320 ft. of 24" R.C.P.; 82 ft. of 18" R.C.P.; and 2- Junction Box/48" Manhole

Morning Dew Court - 1-1 Grate Drop Inlet Type I; 136 ft. of 30" R.C.P.; and 1-Junction Box/48" Manhole

Existing Retention Ponding Area - Located at Pebble Hills Unit Eight Subdivision; Capacity 54.20 Acre ft.; 3-Headwall Concrete Structures with Concrete Rip-Rap; 284 ft. of 48" R.C.P.; 210 ft. of 36" R.C.P.; 114 ft. of 30" R.C.P.; and 182 ft. of 18" R.C.P.

20 ft. Drainage R.O.W. - between Lots 56 and 57, Block 2; 269 ft. of 48" R.C.P.

20 ft. Drainage R.O.W. - between Lots 122 and 123, Block 2; 1-1 Grate Drop Inlet Type II; and 476 ft. of 18" R.C.P.

.....

Subdivision: Tierra Del Este Unit Twelve
Owner/Developer: Ranchos Real VI, LTD.
Consultant: Conde Inc.

Tierra Cortez Avenue - from the east property line of Joe Battle Boulevard to the west property line of Tierra Este Road

Tierra Palma Drive - from the north property line of Tierra Cortez Avenue to the south property line of Edgemere Boulevard

Tierra Laurel Drive - from the east property line of Tierra Palma Drive to the west property line of Tierra Este Drive

Tierra Pura Place - from the south property line of Tierra Laurel Drive to the end of cul-de-sac

Tierra Nuez Place - from the south property line of Tierra Laurel Drive to the end of cul-de-sac

Tierra Limpia Drive - from the east property line of Tierra Palma Drive to the west property line of Tierra Este Drive

Retention Ponding Area - at Lot 32, Block 61; with a 3.65 ac. Area and a 51.02 ac-ft. Capacity; 2-Thrust Block Structure and 1-Headwall Structure with Concrete Rip-Rap; 100.80 ft. of 48" R.C.P.; 97.20 ft. of 42" R.C.P.; 52.50 ft. of 18" R.C.P.; 1-Junction Box/48" Manhole; 1726.81 ft. x 6 ft. high Rock Wall Fence around the ponding area perimeter; 262 ft. x 5 ft. Concrete Sidewalk; 20 ft. Concrete Drive Way; 18 ft. Double Swing Gate; and Pond Gauge

Storm Drainage System - 2-3 Grate Drop Inlet Type I; and 35.99 ft. of 48" R.C.P.; at Tierra Palma Drive

1-2 Grate Drop Inlet Type I; at Tierra Limpia Drive

15 ft. Drainage Easement.-at Lot 28, Block 61; 118.5 ft. of 18" R.C.P.

15 ft. Drainage Easement.-at Lot 17, Block 61; 127 ft. of 48" R.C.P.

15 ft. Drainage Easement.-at Lot 12, Block 63; 1-9 Grate Offstreet Drop Inlet; and 125 ft. of 48" R.C.P.

*Motion made, seconded and unanimously carried to approve the request for the following name to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Meraz, Gabriela, Library Assistant - Library

*Motion made, seconded and unanimously carried to approve the request to fill the following positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Recreation Leader II (40)

Recreation Leader III (11)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for **EL PASO MUSEUM OF ART**

Add	1.00	Contract Professional (NE)	C
Delete	.50	Contract-Adm. Support (NE)	C
Delete	.75	Contract Professional (E)	C

NOTE: Item was revised.

.....
*Motion made, seconded and unanimously carried to approve the Staffing Table Change for **FIRE**

Add	5.00	Firefighter	FS 1
Delete	5.00	Fire Medic	FS 1

.....
*Motion made, seconded and unanimously carried to appoint Tripper Goodman to the Community Advisory Panel for the City Manager Hiring Process by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Gary Larcenaire to the Water Conservation Advisory Board by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Lupe Casillas-Lowenberg to the Art Museum Advisory Board by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Gregory G. Rocha to the Community Advisory Panel for the City Manager Hiring Process by Representative John F. Cook, District 4.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the board appointment of Robert E. Jones to the Community Advisory Panel for the City Manager Hiring Process by Representative Daniel Power, District 5.

.....
Motion made by Representative Power, seconded by Representative Lozano and unanimously carried to appoint Robert E. Jones to the Community Advisory Panel for the City Manager Hiring Process by Representative Daniel Power, District 5.

.....
*Motion made, seconded and unanimously carried to appoint Elma Schwartz to the Civil Service Commission by Representative Paul J. Escobar, District 6.

.....
*Motion made, seconded and unanimously carried to appoint Margarita A. Licon to the Brownfields Redevelopment Board by Representative Vivian Rojas, District 7.

.....
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to reconsider the board appointment of Melissa Y. Foster to the City Plan Commission to fill an unexpired term by Mayor Pro Tempore Cobos, District 8, which was already approved with the revised consent agenda.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to postpone two (2) weeks the board appointment of Melissa Y. Foster to the City Plan Commission to fill an unexpired term by Mayor Pro Tempore Cobos, District 8.

.....
*Motion made, seconded and unanimously carried to appoint Rosa E. De Leon to the Retired and Senior Volunteer Program Advisory Council (RSVP) by Mayor Pro Tempore Cobos, District 8.

- A. PID #'s V127-999-0010-6100 & T645-999-0090-3400, \$1,471.51 per month installments on a balance of \$5,886.04 for 2003 taxes; Elizabeth & Juan R. Puga – 5717 Upper Valley – 277 Fluorite Dr.
- B. PID #P863-999-0010-6300, \$414.80 per month installments on a balance of \$4,977.60 for 2001 & 2002 taxes; John R. Jr., & Mary L. Paul - 4736 Harmony Dr.
- C. PID #2002-999-1410-0042, \$462.44 per month installments on a balance of \$3,237.08 for 2002 taxes; Professional Technology Group Samantha Dassancer – 1528 Goodyear.
- D. PID #S127-999-0190-1100, \$178.55 per month installments on a balance of \$2,678.25 for 2003 taxes; Barry & Yolanda MacCardle – 11416 Lake Nemi Dr.
- E. PID #C340-999-0440-5300, \$309.49 per month installments on a balance of \$3,094.90 for 2003 taxes; Jesus & Maria T. Cardenas – 6925 Orizaba Ave.
- F. PID #L681-999-0050-2500, \$237.16 per month installments on a balance of \$2,845.92 for 2003 taxes; Kerri Roberts - Cristobal Maza – 815 Driver.
- G. PID #N425-999-0320-6600, \$557.35 per month installments on a balance of \$5,573.50 for 2003 taxes; Juan A. Jr., & Ana M. Ramirez – 4101 John B. Oblinge.
- H. PID #Y848-999-0000-0100, \$1,983.65 per month installments on a balance of \$23,803.80 for 2003 taxes; Ann M. Lilly - 9033 Billy The Kid.

*Motion made, seconded and unanimously carried to approve the request authorizing to allocate One Thousand Six Hundred Eleven Dollars (\$1,611.00) from District #4 Discretionary Funds to sponsor the 2004 Summer Outdoor Concerts at the Veterans Park Amphitheater from June 26th through August 7th, 2004.

Request that the Director of Purchasing be authorized to issue a Purchase Order to Tutor Com, Inc. in the amount of \$34,400.00. Tutor Com, Inc. is the sole provider of Live Homework Help in the State of Texas. Tutor Com, Inc. will provide on-site support, maintenance and assistance in the implementation of Live Homework Help. Contract 2003-100.

Department: El Paso Public Library
Funds available: 31130563-60005-508039-PPW0056003YR2
Library Book & Materials Yr. 2 Issue CP
Total Amount: \$34,400.00

20 REGULAR COUNCIL MEETING – APRIL 6, 2004

Motion made by Representative Rojas, seconded by Representative Escobar and unanimously carried that the Director of Purchasing be authorized to issue a Purchase Order to Tutor Com, Inc. in the amount of \$34,400.00. Tutor Com, Inc. is the sole provider of Live Homework Help in the State of Texas. Tutor Com, Inc. will provide on-site support, maintenance and assistance in the implementation of Live Homework Help. Contract 2003-100.

Additionally, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements.

Department: El Paso Public Library
Funds available: 31130563-60005-508039-PPW0056003YR2
Library Book & Materials Yr. 2 Issue CP
Total Amount: \$34,400.00

.....
*Motion made, seconded and unanimously carried to award Bid No. 2004-034 31 Yard Automated Side Load Refuse Trucks

Award to: Rush Truck Center – El Paso
El Paso, Texas
Item (s): 1 – Five (5) Each
Optional Items: O3, O8 – Five (5) Each
Amount: \$762,140.00

Department: Solid Waste Management
Funds available: 04250203-508006-27252-PMB0003160
(\$762,140.00)
Funding source: FY 2002 Certificates of Obligation
Total award: \$762,140.00

The Solid Waste, Fleet Services and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid. This vendor also offered the lowest responsive bid.

This is a fixed-price, single (one-time) purchase, to purchase up to ten (10) 31 Yard Automated Side Load Refuse Trucks. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred and eighty (180) days from the date of award of the contract.

No prompt payment discount is offered.

NOTE: Bid was revised.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2004-054 Cohen Stadium HVAC Improvements

Contractor: El Paso A.R.C. Electric, Inc.
El Paso, Texas
Department: Parks and Recreation
Funds Available: 31130500-PPW0046011-26252-508027
31130500-PPW0046012-26253-508027 & 508026
Funding Source: 2000 Quality of Life Bonds
Items: Base Bid \$148,804.00
Total Award: \$148,804.00

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Parks and Recreation recommend the award of this contract to El Paso A.R.C. Electric, Inc., as this offeror has provided the Best Value Offer. It is requested that the Mayor be authorized to sign the contract approved by the City Engineer, Contract Compliance and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by the measured quantity. The actual cost of the unit price component will be the sum total of the unit price at the end of the contract term.

.....
*Motion made, seconded and unanimously carried to delete Bid No. 2004-074 Clint Landfill Phase I, Cells 1 and 2

Contractor:	J. D. Abrams, LP Austin, TX
Department:	Solid Waste Management
Funds Available:	31260001/PPWFA03019/60636/508027
Funding Source:	Revenue Bond
Items:	Base Bid I \$2,870,450.00
	Base Bid IA \$ 3,300.00
	Base Bid II \$ 46,000.00
	Base Bid III \$ 47,000.00
Total Award:	\$2,966,750.00

Recommendation:

The Departments of Purchasing, Engineering, and Solid Waste recommend the award of this contract to J. D. Abrams, LP, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

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*Motion made, seconded and unanimously carried to award Bid No. 2003-219 Westside Health Clinic HVAC Replacement

Contractor: Dominguez Sheet Metal Works
El Paso, Texas

Department: City/County Health District
Funds Available: 31131001/P501488/27061/508027
Funding Source: General Revenue
Items: Base Bid I \$61,794.00
Total Award: \$61,794.00

The Departments of Engineering, Purchasing and City/County Health District recommend the award of this contract to Dominguez Sheet Metal Works, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

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*Motion made, seconded and unanimously carried to award Bid No. 2004-058 600 Lbs Platform Capacity Disabled Passenger Lift

Award to: Lift-A-Loft Corporation
Muncie, IN

Item (s): 1 and O3
Amount: \$90,444.00

Department: Department of Aviation
Funds available: 62620020-508029-41022-P500004
Funding source: Airport Capital Funds
Total award: \$90,444.00

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, for one (1) 600 Lbs Platform Capacity Disabled Passenger Lift.

There was an option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within 10 months from date of award of the contract. No prompt payment discount is offered.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2004-082 Traffic Signal Components

Award to: Traffic Parts, Inc.
Conroe, Texas

Item (s): All
Amount: \$55,207.50 (estimated annually)

Department: Municipal Services, Street Department
 Funds available: 14200403-29145 & 29146-508027-
 Projects PBEO4ST130 and 131
 Funding source: Streets Building and Plan Services CIP04,
 Traffic Signals, Controllers, School Flashers
 Total award: \$110,415.00 (estimated)

The Departments of Street and Purchasing recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a twenty-four (24) month contract with no option to extend the term of this contract.

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2004-108 Heil Proprietary Parts

Award to: G.O.T. Supply, Inc.
 El Paso, Texas
 Item (s): Group A, Item #1, Group B1 & B
 Amount: \$40,000.00 (estimated annually)
 Department: Fleet Services
 Funds available: 37370510-503121
 Funding source: Fleet Service Internal Service Fund
 Total award: \$120,000.00

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

.....
 Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2004-524 SOLID WASTE MANAGEMENT.

Mr. David Almonte, Director of OMB, requested that the item be deleted.

Motion made by Representative Cushing, seconded by Representative Rojas and unanimously carried to delete budget transfer BT2004-524 SOLID WASTE MANAGEMENT

To establish appropriations for sale of revenue bonds to purchase Solid Waste Management equipment for FY 04.

Increase	\$1,631,200	to	34340200/40415/508006	Veh Equip
Increase	\$ 60,000	to	34340200/40415/508008	OffEquip&App
Increase	\$1,546,600	to	34340200/40415/508029	Hvy/OffRdEqp
Increase	\$3,237,800	to	34340200/40415/407020	Bond Proc

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2004-354 LIBRARY

The Library requests a budget transfer under the Quick Copy Center's budget. This budget transfer will allow the Quick Copy Center to pay for a new maintenance/lease contract on a new copy machine this fiscal year.

Increase	\$15,000	to	53530151/45204/407002	Est Rev
Increase	\$15,000	to	53530151/45204/502404	OffEqLses

*Motion made, seconded and unanimously carried to delete budget transfer BT2004-553 MPO

To adjust budget to New Mexico funded account of \$79,802.49 and provide budget for expected expenditures in FY04. (Budget transfer provides for a carryover of \$15,000 in funding into FY05)

Increase	\$69,110.21	to	68150009/G78040305022/406001	St Grt Proc
Decrease	\$10,282.00	from	68150009/G78040305022/501000	N-UnifWg&Sal
Increase	\$ 46.00	to	68150009/G78040305022/501100	WkrComp-Civ
Increase	\$ 393.00	to	68150009/G78040305022/501108	PosC-EpCntrb
Increase	\$ 7.00	to	68150009/G78040305022/501114	Life Ins-Civ
Increase	\$ 953.00	to	68150009/G78040305022/501124	C-PsnPICntrb
Increase	\$ 600.00	to	68150009/G78040305022/501129	FicaCityMatCv
Increase	\$ 141.00	to	68150009/G78040305022/501130	FicaMdCMCv
Increase	\$35,000.00	to	68150009/G78040305022/502215	OtsdCnt-NOC
Increase	\$ 300.00	to	68150009/G78040305022/503100	Off Supplies
Increase	\$ 700.00	to	68150009/G78040305022/504003	Postage
Increase	\$ 3,000.00	to	68150009/G78040305022/504201	TrvlExpEmple
Decrease	\$ 3,200.00	from	68150009/G78040305022/504415	IndCostExpnd
Increase	\$13,452.21	to	68150009/G78040305022/507002	Intrfd Trf

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-580 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$12,797 to fund construction of parking meters on Main Avenue for the Plaza Theatre project. Funding source is reimbursed expenditures from the Downtown Management District.

Increase	\$12,797	to	31255011/PPW031027697/405067	Reimb Expnd
Increase	\$12,797	to	31255011/PPW031027697/508027	Construction

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-583 COMMUNITY AND HUMAN DEVELOPMENT

This appropriates the available program income in the Community Development Block Grant Housing Revolving Loan Fund and increases account balances where projected expenditures are anticipated.

Increase	\$977,000	to	71150039/G710RLFCDAH09903/406040	Prog Income
Increase	\$227,000	to	71150039/G710RLFCDAH09903/505205	HRhSgleFam
Increase	\$700,000	to	71150039/G710RLFCDAH09903/505208	1stTHmeBuy
Increase	\$ 50,000	to	71150039/G710RLFCDAH09903/505210	CDRntalReloc

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-590 AIRPORT

Transfer of funds to cover cost of relocating fingerprinting machine to new location on the first floor at the Airport and for monthly maintenance that is currently being covered by the Administration Section.

Increase	\$10,000	to	62620002/40101/502229	OffMachMnt
Increase	\$10,000	to	62620002/40101/407001	Intrfd Trf In
Increase	\$10,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$10,000	to	62620018/P50000241021/507001	Intrfd Trf Out

*Motion made, seconded and unanimously carried to approve the request of Arthritis Foundation to hold a fundraising walk on May 15, 2004 from 6:30 a.m. to 1:00 p.m. Route: Start at Helen of Troy and Resler Dr., proceed on Resler Drive to Plexxar Rd., turn back to Resler Rd. and finish at Helen of Troy. Approximately 300-400 persons, 200 vehicles will take part and 50 spectators are anticipated. This request includes permission to use amplification (1 speaker-PA system and 1 microphone-PA system. PERMIT NO. 04-018 [Mrs. Shawn Abel]

*Motion made, seconded and unanimously carried to approve the request of Crime Victim's Rights Council to hold a 3rd annual memorial walk on April 18, 2004 from 9:00 a.m. to 11:00 a.m. Route: Start at 1300 Hardaway St. to Trowbridge, turn left on Trowbridge to Radford St., turn right on Radford St. to Hastings, turn right on Hastings to Caples Circle, turn right on Hastings to Cumberland, turn left on Cumberland to Radford, turn left on Radford to Cumberland, turn left on Cumberland to Graham, turn right on Graham to Raynolds, turn right on Raynolds to Trowbridge, turn right on Trowbridge, and finish at 1300 Hardaway-Loretto's track field. Approximately 800-900 persons will take part and 1,200 spectators are anticipated. PERMIT NO. 04-022 [Dinna Spencer]

*Motion made, seconded and unanimously carried to approve the request of The Neighborhood Watch to block off 3100 block of Queens Garden at Arrambide on April 10, 2004 from 6:00 p.m. to 9:30 p.m. for a block party. Approximately 30 persons will take part and 30 spectators are anticipated. "Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers, 1 microphone, and 1 amplifier) PERMIT NO. 04-023 [Concepcion Collins]

*Motion made, seconded and unanimously carried to approve the request of El Paso Parks & Recreation to hold the El Paso Senior Games Cycling Event on April 14, 2004 from 9:00 a.m. to 10:00 a.m. Route: Start ½ mile west of Railroad on the bike lane of Loop 375 for a distance of 10 km. Approximately 25 persons will take part with no spectators. PERMIT NO. 04-019 [Parks and Recreation, William Day, (915) 541-4331]

*Motion made, seconded and unanimously carried to delete the introduction of an Ordinance amending Sections of Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments). The penalty being as provided in Section 9.12.890 of the El Paso Municipal Code.

Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance granting a Special Privilege to Regent Communications-El Paso to temporarily close a portion of Santa Fe Street between Franklin Avenue and San Antonio Avenue; San Francisco Avenue (Trolley Lane) between Santa Fe Street and El Paso Street; Durango Street (access road abutting Convention Center) between San Francisco Avenue and San Antonio Avenue; and Main Drive between Santa Fe Street and El Paso Street; from 6:00 a.m. on Friday, July 2, 2004, through 2:00 p.m. on Monday, July 5, 2004 for the El Paso Downtown Street Festival. (Consideration: \$225.00, SP-04001)
- B. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III-Parking Prohibited at All Times On Certain Streets) To Add A New Location On The East Side of Alley M From Paisano Drive to First Avenue, Between Saint Vrain Street and Virginia Street. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code.
- C. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **EPWU WASTEWATER PLANT TECHNICIAN II.**
- D. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **EPWU WASTEWATER PLANT ASSISTANT SUPERINTENDENT.**

- E. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **EPWU WASTEWATER PLANT SUPERINTENDENT**.
- F. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **EPWU RECLAMATION PLANT SUPERINTENDENT**.
- G. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, to add a new rule addressing Outside Employment for Civil Service Employees.
- H. An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) of the El Paso Municipal Code to provide new user fees for the use of Skate Park Areas of the Parks and Recreation Department.

PUBLIC HEARING WILL BE HELD ON APRIL 20, 2004 FOR ITEMS A – H

- I. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to change the notice requirements for a zoning change on one acre or more of land. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.
- J. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to change the notice requirements for a zoning change, special use permit, or release of zoning condition on one acre or more of land. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.
- K. An Ordinance changing the zoning of a portion of Lot 4, Block 160, Vista Del Sol Unit 54, El Paso, El Paso County, Texas (11329 Pellicano Dr.) from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00013. Applicant: Texas M, LLC / Representative: Margaret Portillo, 300 E. Main, Suite 1208, El Paso, TX 79901
- L. An Ordinance changing the zoning of a portion of Lot 4, Block 134, Pebble Hills, El Paso, El Paso County, Texas (Wooster Lane) from A-O (Apartment-Office) to C-3 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00033. Applicant: Joseph Pickett / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936

PUBLIC HEARING WILL BE HELD ON APRIL 27, 2004 FOR ITEMS I – L

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
 *Motion made, seconded and unanimously carried to delete the discussion and action on an economic development tourism initiative for financial commitment to support a citywide campaign to include signage, two billboards, banners, bench ads and bus wraps. An oversight committee will assist with design, placement and budget.

.....
 *Motion made, seconded and unanimously carried to delete the a Resolution declaring the intention of the City of El Paso, pursuant to Internal Revenue Code Regulation Section 1.150-2(e), to finance certain expenditures to be incurred for Year 2004 Capital Improvements from the proceeds of the sale of City Tax-Exempt Obligations totaling \$11,468,800 (New McCombs Cells; Old Clint Closure; Waste Screening Areas; Clint Water Well; McCombs Water Well; Scales, Radiation Detector; and Capital Equipment).

No action was taken on the discussion of Six Months Financial Report.
[Financial and Administrative Services, William Chapman, (915) 541-4011]

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, provided financial information pertaining to expenditures, revenues, and investments in relation to the six-month financial report. He answered questions from and responded to comments made by the Council Members.

Representatives Power, Cobos, Austin, Cook, Escobar and Mayor Joe Wardy responded to comments and/or asked additional questions of Mr. Chapman.

.....
Item: Discussion and action regarding a City Fairgrounds report conducted by the Planning, Research & Development Department.

Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation with reference to several proposed City Fairground sites. He answered questions from and responded to comments made by the Council Members.

Mr. Matt Watson, Assistant City Attorney, provided legal advice.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to direct staff to include the City Fairgrounds Report in the 2006 Capital Improvement Projects.

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ORDINANCE 15728

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS), BY SUBSTITUTING THE TERM DIRECTOR OF AVIATION FOR AIRPORT MANAGER AND THE TERM ASSISTANT DIRECTOR OF AVIATION FOR ASSISTANT MANAGER WHEREVER THEY APPEAR.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Representative Austin was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15729

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS), CHAPTER 14.12 (AIRCRAFT USE REGULATIONS), SECTION 14.12.200 (PARKING OF AIRCRAFT) OF THE EL PASO MUNICIPAL CODE AND IMPOSING A DEAD STORAGE PARKING RATE. THE PENALTY AS PROVIDED IN CHAPTER 1.08 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15730

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS), CHAPTER 14.24 (COMMERCIAL AIR CARRIERS RATES AND CHARGES) OF THE EL PASO MUNICIPAL CODE BY AMENDING APPENDIX A TO SET FORTH NEW COST RECOVERY RATES FOR FISCAL YEAR 2004. THE PENALTY AS PROVIDED IN CHAPTER 1.08 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar and Cobos
NAYS: None Absent: None

Representative Rojas was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to delete an Ordinance amending Title 2 (Administration and Personnel) of the El Paso Municipal Code of El Paso to add Chapter 2.07, to establish the El Paso Capital Improvements Program Advisory Committee; to provide for committee membership, duties, terms of office, duration, for the purpose of overview, recommendation and information regarding approved and planned capital projects.

Ms. Teresa Quezada, Capital Development Program Administrator, explained that the Ordinance language was the implementation of an El Paso Capital Improvements Program Advisory Committee.

Mayor Joe Wardy explained that the Neighborhood Associations, other civic groups and the Council Members could compile a list of prioritized projects without the necessity of an Advisory Committee.

Representatives Cook, Cushing, Lozano and Austin commented.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 5 (Business Taxes, Licenses And Regulations), Chapter 5.04 (Business Taxes, Licenses And Regulations) Section 5.04.040 (Late Payment - Penalty) To Increase The Permit Fees. The Penalty Being As Provided In Sections 1.08.010 To 1.08.030 Of The El Paso Municipal Code.
.....

ORDINANCE 15731

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.100 (VENDORS AND SOLICITORS), SECTION 5.100.040 (LICENSE FEES) AND SECTION 5.100.070 (LICENSE – TEMPORARY – FEE – TERM) TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTION 5.100.100 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

ORDINANCE 15732

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.24 (CHARITABLE SOLICITATIONS), SECTION 5.24.050 (APPLICATION - FEE) TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 TO 1.08.030 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

ORDINANCE 15733

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.48 (LAUNDRIES), SECTION 5.48.030 (LICENSE – FEE - EXPIRATION) TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 TO 1.08.030 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

.....
ORDINANCE 15734

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.72 (MOTOR VEHICLE DEALERS AND SALESMEN) SECTION 5.72.030 LICENSE - FEE - TERM) TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTION 5.72.120 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

.....
ORDINANCE 15735

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.84 (DEALERS IN SECOND HAND GOODS, COINS AND PRECIOUS METALS), SECTION 5.84.050 (LICENSE - FEE) TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTION 5.84.220 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

ORDINANCE 15736

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.280 TO INCREASE THE PERMIT FEES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15731 through 15736 were considered all together.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 13 (Streets, Sidewalks And Public Spaces), Chapter 13.04 (Street And Sidewalk Construction And Maintenance), Section 13.04.015, To Increase The Permit Fees. The Penalty Being As Provided In Sections 1.08.010 To 1.08.030 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 13 (Streets, Sidewalks And Public Spaces), Chapter 13.12 (Driveways), Section 13.12.050 (Permit Fees), To Increase The Permit Fees. The Penalty Being As Provided In Section 13.12.260 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 17 (Housing), Chapter 17.08 (Lodginghouses, Tenement Houses, Hotels And Motels) Section 17.08.120 And Section 17.08.220 To Increase The Permit Fees. The Penalty Being As Provided In Section 17.08.250 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 17 (Housing), Chapter 17.12 (Trailer Courts), Section 17.12.040 To Increase The Permit Fees. The Penalty Being As Provided In Section 17.12.150 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 17 (Housing), Chapter 17.16 (Inspections And Certificates), Section 17.16.020 To Increase The Permit Fees. The Penalty Being As Provided In Section 17.16.060 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 18 (Building And Construction), Chapter 18.02 (Building And Construction Administrative Code), Section 18.02.109 To Increase The Permit Fees. The Penalty Being As Provided In Section 18.02.107 Of The El Paso Municipal Code.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 18 (Building And Construction), Chapter 18.02 (Building And Construction Administrative Code), Section 18.02.103.7 (Fees) By Adding Section 18.02.103.7.5.5 (Valuation For New Residential Permits). The Penalty Being As Provided In Section 18.02.107 Of The El Paso Municipal Code.

*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance Amending Title 18 (Building And Construction), Chapter 18.44 (Grading), Section 18.44.150 (Permit Fees), Of The El Paso City Code, To Increase The Fees For Grading Permits. The Penalty Being As Provided In Section 18.44.240 Of The El Paso City Code.

.....
ORDINANCE 15737

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF STRATEGIC BUDGET ADVISOR.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15738

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO AMEND THE PROCEDURES FOR AMENDING OR ADDING JOB SPECIFICATIONS.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Representative Escobar was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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Item: An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction and Discharge, to add Section 6, to allow employees to forfeit annual leave in lieu of serving a suspension provided that appeal rights are waived.

Motion #1:

Representative Cushing moved to approve, Representative Cobos seconded. Representative Cushing withdrew his Motion to approve.

Ms. Terry A. Bond, Director of Human Resources, explained that the Ordinance, if approved, would allow City employees to elect to forfeit vacation time in lieu of serving out their suspension; however, it was

requested that the Civil Service Commission strike the following statement from the Ordinance language: "The Department Heads shall not unreasonably withhold the approval of the employee's election."

Mr. Jim Martinez, Chief Administrative Officer, offered further clarification and Ms. Lupe Cuellar, Deputy City Attorney, provided legal advice.

Representatives Cushing, Power and Cook added comments.

Motion #2:

Representative Cushing moved to postpone for four (4) weeks, Representative Cobos seconded. Representative Cobos withdrew his second. No vote was taken.

Representative Austin, Power and Rojas added comments.

Motion #3:

Representative Power moved to deny. Representative Rojas seconded.

AYES: Representatives Cook, Power, Escobar and Rojas

NAYS: Representatives Austin, Cushing, Lozano and Cobos

Mayor Wardy did not vote and the motion failed due to the required seven affirmative votes of Council in order to overwrite the Civil Service Ruling as required by the El Paso City Charter.

Motion #4:

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to postpone four (4) weeks an Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction and Discharge, to add Section 6, to allow employees to forfeit annual leave in lieu of serving a suspension provided that appeal rights are waived.

Representative Escobar was not present for the vote.

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ORDINANCE 15739

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING PARENTS ASSOCIATION FOR RECREATION FOR KIDS, INC. TO USE A PORTION OF WHITE SPUR PARK FROM 1:00 PM UNTIL 5:00 PM ON APRIL 25, 2004.**

Dr. William Torgerson, Interim Director of Parks and Recreation, explained that the user fee would be waived.

Dr. Norman Merrifield, Director of Parks and Recreation, thanked the Council for their support.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Rojas, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15740

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 4 AND TRACT 5A, BLOCK 9, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (WESTSIDE DRIVE NORTH OF GOMEZ ROAD) FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Lisa Elizondo, City Attorney, explained that Council Members must have seven votes in favor of the R-2 zoning, due to the applicant's appeal.

Mr. Rudy Valdez, Chief Urban Planner, noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) recommended R-2 zoning rather than the original R-3 zoning change request by the applicant. He noted that the R-2 zoning would yield approximately 59 lots as opposed to the original application submittal of 90 lots. He answered questions from and responded to comments made by the Council Members.

Mr. Sal Masoud, Del Rio Engineering, explained that the developer had agreed to the R-2 zoning and clarified that the lots would maintain the 10,000 square foot minimum.

Mr. Albert Ochoa, citizen, requested that wider streets and sidewalks be implemented for the area encompassing the area. He commented on the future additional traffic and the safety of the neighborhood children.

Ms. Alisa Jorgenson, citizen, thanked Representatives Austin and Cobos for their support and gave a Powerpoint presentation (on file in the City Clerk's Office).

Mr. Larry Nance, citizen, gave a Powerpoint presentation (on file in the City Clerk's Office).

Ms. Mary Francis Kiesling, citizen, thanked Representatives Austin and Cobos, the developer and the Neighborhood Association members for their assistance and cooperation.

Representative Austin thanked the Neighborhood Association, residents, and the developers for their cooperative efforts and patience.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Austin, seconded by Representative Rojas, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15740 and 15741 were discussed together.

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ORDINANCE 15741

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 6E, 6F AND 6G, BLOCK 9, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (ADA LANE NORTH OF GOMEZ ROAD) FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Lisa Elizondo, City Attorney, explained that Council Members must have seven votes in favor of the R-2 zoning, due to the applicant's appeal.

Mr. Rudy Valdez, Chief Urban Planner, noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) recommended R-2 zoning rather than the original R-3 zoning change request submitted by the applicant. He noted that the R-2 zoning would yield approximately 48 lots as opposed to the original application submittal of 66 lots. He answered questions from and responded to comments made by the Council Members.

Mr. Enrique Escobar, developer, explained that he was in agreement of the R-2 zoning.

Representative Escobar stated for the record that Mr. Enrique Escobar was not related to him.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15740 and 15741 were discussed together.

ORDINANCE 15742

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 15 & 16, BLOCK 108, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS (3429 MONTANA AVENUE) FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) recommended unanimous approval.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15742 and 15743 were considered together.

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ORDINANCE 15743

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00085 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 15 & 16, BLOCK 108, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS (3429 MONTANA AVENUE), PURSUANT TO SECTION 20.64.175, AND THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE. ZONE: S-D (SPECIAL DEVELOPMENT).**

Mr. Rudy Valdez, Chief Urban Planner, explained that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) recommended unanimous approval.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15742 and 15743 were considered together.

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ORDINANCE 15744

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00006, TO ALLOW FOR A PHILANTHROPIC USE ON A PORTION OF PRIDHAM SURVEY NO. 274, EL PASO, EL PASO COUNTY, TEXAS (3700 ALTURA AVE.) PURSUANT TO SECTION 20.14.040. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended approval and added that there was no opposition for the proposed YWCA Transitional Living Center.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Cushing, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Representatives Austin and Cobos were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15745

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00007 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS A PORTION OF PRIDHAM SURVEY NO. 274, EL PASO, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL 2, DESCRIBED AS A PORTION OF PRIDHAM SURVEY NO. 274, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

See discussion for Ordinance 15744.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Representative Cobos was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15746

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00002 TO SATISFY PARKING REQUIREMENTS FOR PARCEL 2, DESCRIBED AS THE EAST 101 FEET OF LOT 27, BLOCK 73, MORNINGSIDE HEIGHTS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL I, DESCRIBED AS LOTS 10 - 13, BLOCK 73, MORNINGSIDE HEIGHTS; ALL WITHIN EL PASO, EL PASO COUNTY, TEXAS (4000 BLOCK OF TRUMAN AVE.) PURSUANT TO SECTION 20.22.040. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended approval and added that there was no opposition to the Special Permit.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power and Escobar
NAYS: None Absent: None

Representatives Rojas and Cobos were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Lots 8 & 9, Block 74, Franklin Heights, El Paso, El Paso County, Texas (1818 Rio Grande) from A-2 (Apartment) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00016. Applicant / Representative: Felix Padilla, 4209 Park Hill, El Paso, TX 79902.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and explained that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval.

Mr. Luis Sanchez, Golden Hills Neighborhood Association, read from a prepared statement (on file in the City Clerk's Office).

Mr. Felix Padilla, applicant, explained the reasoning for the zoning change request.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Tract 24, Richard Lee Subdivision, El Paso, El Paso County, Texas (Farrell Drive North of Cindy Lane) from R-F (Ranch and Farm) to R-2A (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Edgar R. and Teresa D. Paz / Representative: Adrian Hernandez, P.O. Box 11247, El Paso, TX 79995. ZON04-00017
THIS IS AN APPEAL CASE.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the DCC (Development Coordinating Committee) had recommended approval; however, the CPC (City Plan Commission) had denied the zoning change request. He added that the zoning case was a 211.006(d) and would require seven affirmative votes. He answered questions from and responded to comments made by the Council Members.

Mr. George Stokes, Little Bit of Country Neighborhood Association, noted that the Association was opposed to the requested zoning change and provided photographs substantiating the request.

The following residents spoke in opposition to the zoning change:
Mr. John Severns, resident;
Mr. Denise Heck, resident; and
Ms. Nancy Stokes, resident.

Representative Escobar explained that he had met with the applicant and the Neighborhood Association members and that a compromise was unsuccessful. He explained that his office just received a request just this morning from the applicant to postpone for one (1) week due to business travel.

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ORDINANCE 157447

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO BORDER CAB TAXI COMPANY AUTHORIZING TWO TAXICAB STANDS ON PORTIONS OF PUBLIC RIGHTS-OF-WAY ALONG SIXTH AVENUE WITH TWO TAXICAB STANDS.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the applicant had requested the use of four taxicab stands; however, the DCC (Development Coordinating Committee) had approved the use of two taxicab stands. Mr. Valdez amended the License Agreement to read "\$98.00 per month". He answered questions from and responded to comments made by the Council Members.

Mr. Joe Olvera, Border Cab Taxi Company Owner, noted that he had purchased Texas Cab Company, previous owner of the taxicab stands.

Mr. Hector Castarita, United Independent Cab driver, stated that the owner of the United Independent Cab Company had submitted applications for the taxicab stands in 1991.

Mr. Matt Watson, Assistant City Attorney, provided legal advice.

Mr. Carlos Arreola, Vehicle For Hire Inspector, explained that he and one other Vehicle for Hire Inspector enforce the City's Ordinance pertaining to taxicabs.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cobos, seconded by Representative Rojas, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Representative Power was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15748

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NUMBER 011598 AND ORDINANCE NUMBER 011902, FOR THE PURPOSE OF REVISING THE EFFECTIVE DATES OF THE TERMS OF THE MEMBERS APPOINTED TO THE INTERNATIONAL BRIDGE COMMISSION, REVISING THE EX-OFFICIO MEMBERSHIP OF THE INTERNATIONAL BRIDGE COMMISSION, AND TO NAME THE CITY OF EL PASO'S STREET DEPARTMENT AS SECRETARY TO THE INTERNATIONAL BRIDGE COMMISSION.**

Representative Lozano requested that the Commission on Border Relations be implemented.

Mr. Daryl Cole, Street Director, responded.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Representative Power was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 164 Rio Monte Street, in El Paso, Texas, which property is more particularly described as follows:

Tract: A Portion of Tract 20, R. L. Dorbandt's Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on File in Book 9, Page 27, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Robert L. Meyer, 2108 Whitcomb Street, El Paso, Texas 79925, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on April 6th, 2004; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. Since the owner has failed to comply with the Council Order of June 24th, 2003, we find that the structure must be demolished.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be demolished within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - d. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and

5. That the costs incurred by the City in connection with demolishing the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Lozano, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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 *Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 7245 Barker Road, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 19th, 2003. The owner of this property, Aurora Loan Services, Inc., ATTN: Claims Department, P. O. Box 1706, Scottsbluff, NE 69363-1706, has been notified of the violations at this property. Delinquent taxes in the amount of \$2,551.06.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 3732 Tularosa Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 25th, 2003. The owners of this property, Rosa Irene Rocha and Ana Rocha Aragon, Individually and Ana R. Aragon, Independent Administratrix of the Estate of Mariana Rocha, Deceased, have been notified of the violations at this property. Delinquent taxes in the amount of \$0.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 2618 Chico Court, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Maria Gandara, 2618 Chico Court, El Paso, Texas 79903, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

*Motion made, seconded and unanimously carried to postpone eight (8) weeks the public hearing to determine if the property located at 4425 Sunrise Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 28th, 2003. The owner of this property, Michael V. Torres, 5104 Flower Drive, El Paso, Texas 79905, has been notified of the violations at this property. Delinquent taxes in the amount of \$21,915.16.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 1107 Myrtle Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Octillio, Octavio, and Luis Navarro and Richard A. Stearns, 1107 Myrtle Avenue, El Paso, Texas 79901, have been notified of the violations at this property. Delinquent taxes in the amount of \$18,907.23.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 1107 Myrtle Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Octillio, Octavio, and Luis Navarro and Richard A. Stearns, 1107 Myrtle Avenue, El Paso, Texas 79901, have been notified of the violations at this property. Delinquent taxes in the amount of \$18,907.23.

Mr. Thomas Maguire, Building Permits and Inspections, requested the postponement and explained that he has already contacted the property owner.

ADDITION TO THE AGENDA

No action was taken on the presentation to City Council regarding free enterprise and the City's competition with small businesses. [Hector Almada]

Mr. Hector Almada, owner of CBS Bookstore, requested that CBS Bookstore be the sole supplier of the City's Code Books and explained that his bookstore sells the Code Books \$10 to \$15 dollars higher than the City since the City is able to buy them cheaper because the City buys in larger quantities. He answered questions from and responded to comments made by the Council Members.

Representatives Lozano, Cobos and Cook thanked Mr. Almada for bringing the matter to the attention of the Council Members and explained that the City would look into it so is not to hurt small businesses.

***RESOLUTION**

WHEREAS, the City Council of the City of El Paso, by Resolution dated February 24, 2004, awarded Contract Bid Number 2004-013 Cleveland Square Redevelopment-Main Library Addition

Remodeling, New History Museum & Cleveland Square Park to Silverton Construction Company, Inc., in the amount of \$12,614,750.00.

WHEREAS, the correct contract amount should read \$12,039,150.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Resolution adopted by City of El Paso on February 24, 2004 is hereby amended to read as follows:

WHEREAS, the City Council of the City of El Paso, by Resolution dated March 12, 2002 determined that the competitive sealed proposal method is the project method that provides the best value to the City when entering into a contract for the construction of a facility; and

WHEREAS, the selection of a construction contractor for the Cleveland Square Redevelopment-Main Library Addition Remodeling, New History Museum & Cleveland Square Park shall be accomplished through the use of the Competitive Sealed Proposal Method; and

WHEREAS, certain procedures must be met under state law when selecting a contractor for construction of a facility through competitive sealed proposals; and

WHEREAS, the City has followed the required procedures by preparing a request for competitive sealed proposals that includes construction documents, selection criteria used in selecting the successful offeror, estimated budget, project scope, schedule, and other information that contractors may require to respond to the request; and

WHEREAS, the City has received, publicly opened, and read aloud the names of the offerors and the prices stated in each proposal and has, no later than the 45th day after the date of opening the proposals, evaluated and ranked each proposal submitted in relation to the published selection criteria; and

WHEREAS, the City selects Silverton Construction Company, Inc. as the offeror that offers the best value to the City based on the published selection criteria and on its ranking evaluation; and

WHEREAS, the City has successfully negotiated a contract with Silverton Construction Company, Inc. and has, along with the engineer, discussed with Silverton Construction Company, Inc. options for a scope or time modification and price change associated with the modification.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City of El Paso hereby awards Contract Bid Number 2004-013 Cleveland Square Redevelopment-Main Library Addition Remodeling, New History Museum & Cleveland Square Park to Silverton Construction Company, Inc. in the amount of \$12,039, 150.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract referenced above as approved by the City Engineer, Contract Compliance, P+3 Project Manager, and the City Attorney; and

THAT the Mayor be authorized to execute budget transfers for this award and project as necessary;

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 10% of the original contract price as awarded, without further authorization by City Council.

*Motion made, seconded and unanimously carried to appoint Brenda L. Coca to the Brownfields Redevelopment Board by Mayor Joe Wardy.

NOTE: Item was revised to read: "Brownfields Redevelopment Board".

*Motion made, seconded and unanimously carried to appoint Risher S. Gilbert to the Community Advisory Panel for the City Manager Hiring Process by Representative Susan Austin, District 1.

*Motion made, seconded and unanimously carried to appoint Ruth Katherine Brennand to the El Paso Public Arts Commission by Representative Robert A. Cushing, Jr., District 2.

*Motion made, seconded and unanimously carried to appoint Sam P. Hoyle to the History Museum Board by Representative Paul J. Escobar, District 6.

*Motion made, seconded and unanimously carried to approve the installation, power, and maintenance of residential street lights at the following locations:

- | | | |
|----|---------------------------|----------------|
| A. | Alley behind 4418 Montana | Cost: \$464.00 |
| B. | Alley behind 4103 Leavell | Cost: \$464.00 |

*Motion made, seconded and unanimously carried to approve the request for authorization to allocate the use of District 2 discretionary funds in the amount of \$181.40 to purchase a "letter sign" for the Rae Gilmore Center. Sign to read: **Rae Gilmore Community Center.**

*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action to authorize project to provide landscaping along City-owned Silver Springs Hike and Bike Trail and solicitation for funding and in-kind donations through Greensweep, neighborhood groups, and other non-profits.

Motion made, seconded and unanimously carried to move to the forefront of the regular agenda the report on discussions with Non-Uniformed City Employee Pension Board regarding Non-Uniformed City Employee Pension Fund.

Motion made by Representative Power, seconded by Representative Cobos and unanimously carried to delete the report on discussions with Non-Uniformed City Employee Pension Board regarding Non-Uniformed City Employee Pension Fund.

Representative Power expressed his disagreement on the language as posted on the agenda not including action.

SECOND ADDITION TO THE AGENDA

*Motion made, seconded and unanimously carried to re-appoint Orlando Fonseca II to the Arts and Culture Advisory Board by Representative Jose Alexandro Lozano, District 3.

*Motion made, seconded and unanimously carried to appoint Marie Doyle to the Charitable Solicitations Commission by Mayor Joe Wardy.

*Motion made, seconded and unanimously carried to appoint Laura Ponce to the History Museum Board by Mayor Joe Wardy.

Petition of El Paso Electric Company to Reconcile Fuel Costs; PUC Docket 26194; SOAH Docket No. 473-03-0278. (551.071)

Bashar Abugalyon v. City of El Paso, Cause No. EP-03-CV-515. (551.071)
[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

NOTE: Executive session items for Bashar Abugalyon, Bath Engineering Corporation and Eddie Bernal were all considered together.


Discussion and action regarding possible claims under a certain "Agreement for Engineering Services" with Bath Engineering Corporation dated November 5, 2002. (551.071)

NOTE: Executive session items for Bashar Abugalyon, Bath Engineering Corporation and Eddie Bernal were all considered together.

Discussion and Action on Eddie E. Bernal vs. El Paso City-County Health and Environmental District,
Cause No. 99-1901 (551.071)

NOTE: Executive session items for Bashar Abugalyon, Bath Engineering Corporation and Eddie Bernal were all considered together.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 2:13 p.m.


Richarda Duffy Momsen, City Clerk